

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P0001601	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/006450	International filing date (day/month/year) 13.05.2004	Priority date (day/month/year) 31.07.2003
International Patent Classification (IPC) or national classification and IPC H01L21/203, C30B23/08, H01L21/338, 29/778, 29/812		
Applicant YUYAMA MFG. CO., LTD.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>5</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/JP	Authorized officer																								
Facsimile No.	Telephone No.																								

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-3, 5-12, 14-34 as originally filed/furnished
 - pages* 4, 13, 13/1 received by this Authority on 31.05.2005
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-25 as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 26-29 received by this Authority on 31.05.2005
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1-32 as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	3, 5-8, 11-29	YES
	Claims	1, 2, 4, 9, 10	NO
Inventive step (IS)	Claims		YES
	Claims	1-29	NO
Industrial applicability (IA)	Claims	1-29	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Document 1: JP 2001-129060 A (Sanyo Electric Co., Ltd.), 15 May 2001, entire text, in particular paragraph 0081; all drawings, in particular fig. 31 and 34 & WO 2001/034090 A1 & EP 1053738 A2			
Document 2: JP 2002-240806 A (Maki Mfg. Co., Ltd.), 28 August 2002, entire text; all drawings (Family: none)			
Document 3: JP 10-310195 A (Nippon Steel Corporation), 24 November 1998, entire text; all drawings (Family: none)			
Document 4: JP 59-103814 A (Shoji Yuyama), 15 June 1984, entire text; all drawings (Family: none)			
Document 5: JP 53-57675 A (Pentel Co., Ltd.), 25 May 1978, entire text; all drawings (Family: none)			
Document 6: JP 2000-103402 A (Sanyo Electric Co., Ltd.), 11 April 2000, entire text; all drawings & WO 2000/018644 A1 & US 6471090 B1			
Document 7: JP 11-276554 A (Biostar), 12 October 1999, entire text; all drawings & EP 827732 A1 & US 6119892 A			
Document 8: US 5647508 A (Michael Ronci), 15 July 1997,			

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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entire text; all drawings (Family: none)

The inventions set forth in claims 1, 2, 4, 9 and 10 lack novelty in the light of document 1 cited in the international search report. The wall of the movable cell (89) in document 1 corresponds to the movable wall of the invention of this application. Paragraph 0081 also sets forth a feature wherein this movable wall eliminates the bridge.

The inventions set forth in claims 3 and 5 to 8 do not involve an inventive step in the light of document 1 and document 2 cited in the international search report. Document 2 sets forth a feature wherein medicine is discharged by rotation, and it would be easy for a person skilled in the art to apply this feature to the invention set forth in document 1.

The inventions set forth in claims 11 to 23 do not involve an inventive step in the light of document 1 and documents 3 to 5 cited in the international search report. Documents 3 to 5 disclose a "dispensing member".

The invention set forth in claims 24 and 25 does not involve an inventive step in the light of document 1 and document 6 cited in the international search report. The movable hook (72) set forth in document 1 has an engaging member and a pressing member. The invention set forth in document 6 pertains to a tablet case, and sets forth a feature wherein a frame is provided and tablets are inserted into said frame.

The invention set forth in claim 26 does not involve an inventive step in the light of documents 1 to 6 cited in the international search report and newly cited document 7. Documents 4 and 7 (cavity (703)) set forth a

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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feature of having an invertable container.

The invention set forth in claims 27 to 29 does not involve an inventive step in the light of documents 1 to 7 and newly cited document 8. The sheet (70) in document 8 is understood to have a dispensing function, in the light of its operation.